

STATE OF WISCONSIN
BEFORE THE EXAMINING BOARD OF ARCHITECTS,
PROFESSIONAL ENGINEERS, DESIGNERS AND LAND SURVEYORS

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
RICHARD D. BOOTH,	:	
RESPONDENT	:	

The parties to this action for the purposes of Wis. Stats. Sec. 227.53 are:

Richard D. Booth
Route 2 Box 777
20th Avenue
Clear Lake, WI 54005

Examining Board of Architects, Professional Engineers,
Designers and Land Surveyors
P.O. Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

The rights of a party aggrieved by this decision to petition the Board for rehearing and to petition for judicial review are set forth on the attached "Notice of Appeal Information."

The parties in this matter have agreed to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Richard D. Booth (D.O.B. 05/18/48) is and was at all times relevant to this action duly licensed in the state of Wisconsin as a land surveyor (license # 1413); this license was first granted June 29, 1977.

2. In resolution of this matter, Mr. Booth consents to the entry of this order.

CONCLUSIONS OF LAW

Richard D. Booth is subject to disciplinary action against his license to practice as a land surveyor in the state of Wisconsin, pursuant to Wis. Stats. secs. 443.12 and Wis. Adm. Code §§ AE 8.03 and AE ch. 7.

Therefor, it is hereby ORDERED:

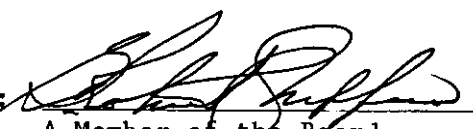
The Examining Board of Architects, Professional Engineers, Designers and Land Surveyors accepts the SURRENDER of the land surveyors license of Richard D. Booth (#1413).

It is further ordered that should Mr. Booth in the future re-apply for licensure as a land surveyor, the Board may in its sole discretion determine whether, and under what terms and conditions, it will re-issue a license to Mr. Booth.

This Order shall become effective upon signing.

EXAMINING BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS,
DESIGNERS AND LAND SURVEYORS

By:


A Member of the Board

Date

17 SEPT 90

STATE OF WISCONSIN
BEFORE THE EXAMINING BOARD OF ARCHITECTS,
PROFESSIONAL ENGINEERS, DESIGNERS AND LAND SURVEYORS

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	STIPULATION
RICHARD D. BOOTH, U.S.,	:	
RESPONDENT.	:	

It is hereby stipulated between Richard D. Booth, personally on his own behalf and Steven M. Gloe, Attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows that:

1. This Stipulation is entered into as a result of a pending investigation of Mr. Booth's licensure by the Division of Enforcement (89 LSR 011). Mr. Booth consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.

2. Mr. Booth understands that by the signing of this Stipulation he voluntarily and knowingly waives his rights, including: the right to a hearing on the allegations against him,, at which time the state has the burden of proving those allegations by clear, satisfactory and convincing evidence; the right to confront and cross-examine the witnesses against him; the right to call witnesses on his behalf and to compel their attendance by subpoena; the right to testify himself; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to him under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, and the Wisconsin Administrative Code.

3. Mr. Booth agrees to the adoption of the attached Final Decision and Order by the Examining Board of Architects, Professional Engineers, Designers and Land Surveyors.

4. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall be returned to the Division of Enforcement for further proceedings.

5. If the Board accepts the terms of this Stipulation, the parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties.

6. Attached to this Stipulation is the current licensure card of Mr. Booth. If the Board does not accept this Stipulation, the license of Mr. Booth shall be returned to him with a notice of the Board's decision not to accept the Stipulation.

NOTICE OF APPEAL INFORMATION

(Notice of Rights for Rehearing or Judicial Review,
the times allowed for each and the identification
of the party to be named as respondent)

The following notice is served on you as part of the final decision:

1. Rehearing.

Any person aggrieved by this order may petition for a rehearing within 20 days of the service of this decision, as provided in section 227.49 of the Wisconsin Statutes, a copy of which is attached. The 20 day period commences the day after personal service or mailing of this decision. (The date of mailing of this decision is shown below.) The petition for rehearing should be filed with the State of Wisconsin Examining Board of Architects, Professional Engineers, Designers and Land Surveyors.

A petition for rehearing is not a prerequisite for appeal directly to circuit court through a petition for judicial review.

2. Judicial Review.

Any person aggrieved by this decision has a right to petition for judicial review of this decision as provided in section 227.53 of the Wisconsin Statutes, a copy of which is attached. The petition should be filed in circuit court and served upon the State of Wisconsin Examining Board of Architects, Professional Engineers, Designers and Land Surveyors.

within 30 days of service of this decision if there has been no petition for rehearing, or within 30 days of service of the order finally disposing of the petition for rehearing, or within 30 days after the final disposition by operation of law of any petition for rehearing.

The 30 day period commences the day after personal service or mailing of the decision or order, or the day after the final disposition by operation of the law of any petition for rehearing. (The date of mailing of this decision is shown below.) A petition for judicial review should be served upon, and name as the respondent, the following: the State of Wisconsin Board of Architects, Professional Engineers, Designers and Land Surveyors.

The date of mailing of this decision is September 19, 1990.

WLD:dms
886-490